

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

KENNETH RAY BENTON PITTS
ADC #85938

PLAINTIFF

V.

NO. 5:06cv00311 JMM

MS. SWYGANT

DEFENDANT

JUDGMENT

In accordance with the Court's Order entered this date, judgment is hereby entered dismissing Plaintiff's complaint without prejudice, and all pending motions are denied without prejudice as moot.

The Clerk of the Court is directed to file Plaintiff's complaint herein against Defendant Swygant as a motion to amend to add a party Defendant in Pitts v. Johnson, et al, 4:06cv00475 GTE-HDY.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal from its order and this judgment entered thereunder, would not be taken in good faith.

IT IS SO ORDERED this 19 day of January, 2007.


UNITED STATES DISTRICT JUDGE